



# House of Representatives

## File No. 723

General Assembly

February Session, 2014

**(Reprint of File No. 204)**

Substitute House Bill No. 5368  
As Amended by House Amendment  
Schedule "A"

Approved by the Legislative Commissioner  
April 30, 2014

**AN ACT ESTABLISHING THE POINT STRATFORD  
INFRASTRUCTURE IMPROVEMENT DISTRICT WITHIN THE TOWN OF  
STRATFORD.**

Be it enacted by the Senate and House of Representatives in General  
Assembly convened:

- 1       Section 1. (*Effective July 1, 2014*) (a) For purposes of this section:
- 2       (1) "District" means that certain real property, situated in the town  
3       of Stratford, the county of Fairfield and the state of Connecticut, the  
4       Point Stratford Infrastructure Improvement District, a body politic and  
5       corporate, subject to sections 7-324 to 7-329, inclusive, of the general  
6       statutes, except as otherwise provided in this section and consisting of  
7       the area bounded and described as follows: PARCEL 1: Beginning at  
8       an iron pin found at the corner formed by the intersection of the  
9       northeasterly right-of-way line of Main Street, a variable width  
10      roadway, also known as Connecticut Route 113 and the southerly line  
11      of property of lands now or formerly of AVCO Corporation. Said point  
12      of Beginning having coordinates North 623,991.08 East 895,831.26 and  
13      running thence from said point of Beginning the following several  
14      courses: along the said lands of AVCO North 58°-57'-31" East for a

15 distance 708.00' to a point on the line of mean high water of the  
16 Housatonic River as located on March 15, 2008; along the said mean  
17 high water of the Housatonic River the following forty-five (45)  
18 courses: thence South 07°-07'-47" West for a distance 54.82' to a point;  
19 thence South 00°-58'-00" West for a distance of 105.46' to a point; thence  
20 South 14°-38'-00" West for a distance of 78.71' to a point; thence South  
21 07°-37'-06" West for a distance of 52.90' to a point; thence South 66°-50'-  
22 11" East for a distance of 25.48' to a point; thence South 74°-57'-24" East  
23 for a distance of 67.13' to a point; thence North 81°-38'-44" East for a  
24 distance of 50.28' to a point; thence North 80°-20'-31" East for a distance  
25 of 47.25' to a point; thence North 81°-00'-49" East for a distance of 81.33'  
26 to a point; thence South 88°-38'-38" East for a distance of 102.76' to a  
27 point; thence South 65°-15'-59" East for a distance of 65.98' to a point;  
28 thence South 48°-45'-42" East for a distance of 82.84' to a point; thence  
29 South 39°-55'-47" East for a distance of 99.93' to a point; thence South  
30 38°-48'-02" East for a distance of 103.98' to a point; thence South 40°-56'-  
31 25" East for a distance of 104.90' to a point; thence South 68°-02'-57"  
32 West for a distance of 142.77' to a point; thence South 72°-19'-52" East  
33 for a distance of 180.88' to a point; thence South 73°-00'-25" East for a  
34 distance of 152.62' to a point; thence South 82°-02'-24" East for a  
35 distance 195.44' to a point; thence North 31°-01'-29" East for a distance  
36 of 89.29' to a point; thence North 33°-54'-44" East for a distance of 93.77'  
37 to a point; thence North 32°-28'-24" East for a distance of 150.78' to a  
38 point; thence North 35°-08'-16" East for a distance of 156.23' to a point;  
39 thence North 32°-07'-10" East for a distance of 132.35' to a point; thence  
40 North 37°-53'-18" East for a distance of 150.41' to a point; thence South  
41 84°-57'-26" East for a distance of 74.85' to a point; thence South 44°-25'-  
42 02" East for a distance of 56.21' to a point; thence South 43°-25'-54"  
43 West for a distance of 103.45' to a point; thence South 41°-33'-07" West  
44 for a distance of 97.15' to a point; thence South 37°-53'-51" West for a  
45 distance of 83.71' to a point; thence South 31°-38'-56" West for a  
46 distance of 106.25' to a point; thence South 36°-29'-32" West for a  
47 distance of 104.13' to a point; thence South 35°-40'-13" West for a  
48 distance of 102.78' to a point; thence South 30°-34'-37" West for a  
49 distance of 93.59' to a point; thence South 21°-40'-25" West for a

50 distance of 41.66' to a point; thence South 16°-05'-41" East for a distance  
51 of 73.36' to a point; thence South 63°-14'-58" East for a distance of  
52 104.23' to a point; thence South 67°-33'-47" East for a distance of 115.67'  
53 to a point; thence North 88°-48'-09" East for a distance of 109.96' to a  
54 point; thence North 83°-58'-36" East for a distance of 87.87' to a point;  
55 thence South 82°-37'-41" East for a distance of 79.29' to a point; thence  
56 South 66°-40'-14" East for a distance of 51.52' to a point; thence South  
57 60°-08'-32" East for a distance of 55.12' to a point; thence North 80°-35'-  
58 12" East for a distance of 85.21' to a point; thence North 73°-28'-08" East  
59 for a distance of 41.25' to the lands now or formerly of Alice L.  
60 Sniffens; thence along the said lands of Sniffens South 00°-16'-18" West  
61 for a distance of 194.63' to a point and P.K. Nail Found on the  
62 Northerly line of Sniffen Lane, 50' width; thence along said Sniffen  
63 Lane North 86°-14'-22" West for a distance of 393.45' to a point, a Drill  
64 Hole found at an angle point in the said Sniffen Lane line; thence  
65 crossing the existing Sniffen Lane, (50' wide) South 18°-07'-01" East for  
66 a distance of 53.96' to a point and Iron Pin Found on the Southerly line  
67 of Sniffen Lane; thence South 40°-10'-22" East for a distance of 437.55'  
68 to a point; thence South 49°-49'-38" West for a distance of 233.16' to a  
69 point; thence South 20°-32'-22" East for a distance of 27.70' to a point;  
70 thence North 61°-32'-42" East for a distance of 67.63' to a point; thence  
71 South 89°-44'-13" East for a distance of 39.20' to a point; thence South  
72 70°-25'-28" East for a distance of 37.95' to a point; thence South 20°-11'-  
73 30" West for a distance of 58.82' to a point; thence South 42°-31'-38"  
74 East for a distance of 24.33' to a point; thence South 59°-20'-33" East for  
75 a distance of 31.26' to a point; thence South 04°-10'-54" East for a  
76 distance of 67.20' to a point; thence South 62°-00'-37" West for a  
77 distance of 328.81' to a point; thence South 26°-53'-53" East for a  
78 distance of 114.18' to a point; thence North 89°-52'-26" East for a  
79 distance of 210.43' to a point; thence South 49°-49'-38" West for a  
80 distance of 790.00' to a point on the said easterly right-of-way line of  
81 Main Street; thence along the said easterly right-of-way line of Main  
82 Street North 52°-58'-22" West for a distance of 568.27' to a point; thence  
83 still along the said easterly right-of-way line of Main Street North 44°-  
84 56'-22" West for a distance of 296.88' to a point, at a Town of Stratford

85 Brass Monument at the corner formed by the intersection of the  
86 easterly right-of-way line of Main Street, a variable width roadway,  
87 also known as Connecticut Route 113 and the southerly line of Sniffen  
88 Lane (50' Wide) and having coordinates North 622,306.37 East  
89 897,171.93; thence crossing existing Sniffen Lane North 44°-49'-21"  
90 West for a distance of 50.18' to a point, an X Cut Set at the corner  
91 formed by the intersection of the said Sniffen Lane line and the  
92 Easterly line of Main Street, variable width, also known as Connecticut  
93 Route 113 and having coordinates North 622,341.96 East 897,136.56;  
94 thence along said Main Street North 44°-56'-22" West for a distance of  
95 358.35' to a Rebar set; thence still along Main Street line North 40°-09'-  
96 02" West for a distance of 504.76' to a Rebar; thence still along Main  
97 Street line North 41°-04'-47" West for a distance of 620.17' to a Concrete  
98 Connecticut Highway Department (C.H.D.) Monument Found (poor  
99 condition); thence still along said Main Street line North 35°-40'-47"  
100 West for a distance of 228.82' to a point; thence still along said Main  
101 Street line North 29°-33'-17" West for a distance of 104.35' to a T Cut;  
102 thence still along the said Main Street line North 27°-05'-29" West for a  
103 distance of 231.58' to a point; thence still along the said Main Street line  
104 North 25°-52'-39" West for a distance of 65.98' to an Iron Pin found and  
105 to the point or place of the Beginning. Parcel 1 contains an area of  
106 3,256,596 square feet or 74.76 acres. PARCEL 2: Beginning at a concrete  
107 Connecticut Highway Department Monument, found to be in fair  
108 condition, at the southerly line of lands now or formerly of Timothy  
109 Ryan. Said point of Beginning having coordinates North 622,895.12  
110 East 896,543.86 also being located on the westerly right-of-way line of  
111 Main Street, a variable width roadway, also known as Connecticut  
112 Route 113, at a jog in the said right-of-way line where the width  
113 changes from an approximate width of 60' to 65' and running thence  
114 from said point of Beginning the following several courses: along the  
115 said right-of-way line of said Main Street South 40°-11'-51" East for a  
116 distance of 329.25 feet to a cross cut on the northerly line of lands now  
117 or formerly of the City of Bridgeport; thence along the said lands of the  
118 City of Bridgeport South 49°-48'-29" West for a distance of 596.45 feet  
119 to a rebar on the easterly line of the lands now or formerly of

120 Bridgeport Airport; thence along the said easterly line of the lands now  
121 or formerly of Bridgeport Airport North 28°-55'-11" West for a distance  
122 of 218.22' to a rebar on the said southerly line of lands of Ryan; thence  
123 along said lands of Ryan North 38°-03'-09" East for a distance of 565.63'  
124 to the point or place of Beginning. Parcel 2 contains an area of 154,989  
125 square feet or 3.56 acres. The project boundaries shall also include any  
126 off-site locations mandated by any agency, authority or other  
127 governmental entity for improvements associated with the project.

128 (2) "Voter" means (A) any person who is an elector of the district, (B)  
129 any citizen of the United States of the age of eighteen years or more  
130 who, jointly or severally, is liable to the district for taxes assessed  
131 against such citizen on an assessment of not less than one thousand  
132 dollars on the last-completed grand list of such district, as the case may  
133 be, or who would be so liable if not entitled to an exemption under  
134 subdivision (17), (19), (22), (23) or (26) of section 12-81 of the general  
135 statutes, or (C) any holder of record of an interest in real property  
136 within the district.

137 (3) "Bonds" means bonds, notes or other obligations authorized by  
138 this section, and refunding bonds, notes or other obligations to  
139 refinance the same.

140 (b) (1) Upon the petition of fifteen or more persons eligible to vote in  
141 the town of Stratford, specifying the district for any or all of the  
142 purposes set forth in this section, the mayor of such town shall call a  
143 meeting of the voters to act upon such petition, which meeting shall be  
144 held at such place within such town and such hour as the mayor  
145 designates, not later than thirty days after such petition has been  
146 received by the mayor. Such meeting shall be called by publication of a  
147 written notice of the same, signed by the mayor, at least fourteen days  
148 before the time fixed for such meeting in two successive issues of some  
149 newspaper published or circulated in such town. Not later than  
150 twenty-four hours before such meeting, (A) two hundred or more  
151 voters or ten per cent of the total number of voters of such proposed  
152 district, whichever is less, may petition the mayor, in writing, for a

153 referendum of the voters of such proposed district, or (B) the mayor in  
154 his or her discretion may order a referendum of the voters of such  
155 proposed district, on the sole question of whether the proposed district  
156 should be established. Any such referendum shall be held not less than  
157 seven nor more than fourteen days after the receipt of such petition or  
158 the date of such order, on a day to be set by the mayor for a vote by  
159 paper ballots or by a "yes" or "no" vote on the voting machines, during  
160 the hours between twelve o'clock noon and eight o'clock p.m.; except  
161 that such town may, by vote of its town council, provide for an earlier  
162 hour for opening the polls but not earlier than six o'clock a.m.,  
163 notwithstanding the provisions of any special act. If voters  
164 representing at least two-thirds of the assessments of holders of record  
165 within the proposed district cast votes in such referendum in favor of  
166 establishing the proposed district, the mayor shall reconvene such  
167 meeting not later than seven days after the day on which the  
168 referendum is held. Upon approval of the petition for the proposed  
169 district by voters representing at least two-thirds of the assessments of  
170 holders of record within the proposed district present at such meeting,  
171 or if a referendum is held, upon the reconvening of such meeting after  
172 the referendum, the voters, upon the vote of voters representing a  
173 majority of assessments of holders of record within the proposed  
174 district, shall choose necessary officers therefor to hold office until the  
175 first annual meeting thereof; and the district shall, upon the filing of  
176 the first report filed in the manner provided in subsection (c) of section  
177 7-325 of the general statutes, thereupon be a body corporate and politic  
178 and have the powers provided in sections 7-324 to 7-329, inclusive, of  
179 the general statutes, not inconsistent with the general statutes or this  
180 section, in relation to the objects for which it was established, that are  
181 necessary for the accomplishment of such objects, including the power  
182 to lay and collect taxes. The clerk of such district shall cause its name  
183 and a description of its territorial limits and of any additions that may  
184 be made thereto to be recorded in, and a caveat be placed upon, the  
185 land records of the town of Stratford.

186 (2) At the meeting called for the purpose of establishing the district

187 as provided in subdivision (1) of this subsection, the voters may  
188 establish the district for any or all of the following purposes: To  
189 extinguish fires, to light streets, to plant and care for shade and  
190 ornamental trees, to plan, lay out, acquire, construct, maintain and  
191 finance roads, sidewalks, crosswalks, drainage systems, sewers and  
192 sewage treatment facilities, utility improvements and connections,  
193 parking facilities, open space, bulkhead construction and repairs,  
194 dredging and construction, environmental remediation and other  
195 infrastructure improvements and to acquire, construct, maintain and  
196 regulate the use of recreational facilities including a marina, to plan,  
197 lay out, acquire, construct, reconstruct, repair, maintain, supervise and  
198 manage a flood or erosion control system, and to plan, lay out, acquire,  
199 construct, maintain, operate, finance and regulate the use of a  
200 community water system, all as hereinafter referred to as the  
201 "improvements". The district may contract with a town, city, borough  
202 or other district for carrying out any of the purposes or the purchase or  
203 sale of any of the improvements for which such district was  
204 established.

205 (3) At the meeting called for the purpose of establishing the district  
206 as provided in subdivision (1) of this subsection, the voters shall fix the  
207 date of the annual meeting of the voters for the election of district  
208 officers and the transaction of such other business as may properly  
209 come before such annual meeting. At such organizational meeting of  
210 the district, the voters shall elect four directors, provided, upon its  
211 organization and at all times thereafter, one additional director may be  
212 appointed by the mayor of the town of Stratford. From such directors,  
213 the voters shall elect at the organizational meeting a president, a vice-  
214 president, a clerk and a treasurer to serve until the first annual meeting  
215 for the election of officers and thereafter such officers shall be elected  
216 annually. Not fewer than three members of the board of directors shall  
217 be residents of the state of Connecticut. Subject to the provisions of  
218 subdivision (4) of this subsection, (A) not fewer than fifteen voters of  
219 the district shall constitute a quorum for the transaction of business at  
220 such organizational meeting of the district; and (B) if fifteen voters are

221 not present at such meeting, the mayor may adjourn such meeting  
222 from time to time, until at least fifteen voters are present. Special  
223 meetings of the district may be called on the application of ten per cent  
224 of the total number of voters of such district or twenty of the voters of  
225 such district, whichever is less, or by the president or any three  
226 directors upon giving notice as provided in this subdivision. Any  
227 special meeting called on the application of the voters shall be held not  
228 later than twenty-one days after receiving such application. Notice of  
229 the holding of the annual meeting and all special meetings shall be  
230 given by publication of a notice of such meetings in a newspaper  
231 having a general circulation in such district at least ten days before the  
232 day of such meetings, signed by the president or any three directors,  
233 which notice shall designate the time and place of such meetings and  
234 the business to be transacted thereat. Two hundred or more persons or  
235 ten per cent of the total number of voters of such district, whichever is  
236 less, may petition the clerk of such district, in writing, at least twenty-  
237 four hours prior to any such meeting, requesting that any item or items  
238 on the call of such meeting be submitted to the voters not less than  
239 seven or more than fourteen days thereafter, on a day to be set by the  
240 district meeting or, if the district meeting does not set a date, by the  
241 board of directors, for a vote by paper ballots or by a "yes" or "no" vote  
242 on the voting machines, during the hours between twelve o'clock noon  
243 and eight o'clock p.m., except that any district may, by vote of its  
244 board of directors, provide for an earlier hour for opening the polls but  
245 not earlier than six o'clock a.m. The paper ballots or voting machine  
246 ballot labels, as the case may be, shall be provided by the clerk. When  
247 such a petition has been filed with the clerk, the president, after  
248 completion of other business and after reasonable discussion shall  
249 adjourn such meeting and order such vote on such item or items in  
250 accordance with the petition, and any item so voted may be rescinded  
251 in the same manner. The clerk shall phrase such item or items in a  
252 form suitable for printing on such paper ballots or ballot labels. Subject  
253 to the provisions of subdivision (4) of this subsection, (i) not fewer than  
254 fifteen voters of the district shall constitute a quorum for the  
255 transaction of business at any meeting of the district; (ii) if fifteen



256 voters are not present at such meeting, the president of the district or,  
257 in such president's absence, the vice-president, may adjourn such  
258 meeting from time to time, until at least fifteen voters are present; and  
259 (iii) all meetings of the district where a quorum is present may be  
260 adjourned from time to time by a vote of a majority of the voters  
261 voting on the question. At any annual or special meeting, the voters  
262 may, by a majority vote of those present, discontinue any purposes for  
263 which the district is established or undertake any additional purpose  
264 or purposes enumerated in subdivision (2) of this subsection.

265 (4) (A) A quorum for the transaction of business at the meeting  
266 called for the purpose of establishing the district, as provided in  
267 subdivisions (1) and (3) of this subsection, shall be either fifteen voters  
268 of such district or a majority of the holders of record of interests in real  
269 property within such district, as long as the assessments of such  
270 holders of record constitute more than one-half of the total of  
271 assessments for all interests in real property within such district. If  
272 fifteen voters or a majority of the holders of record of interests in real  
273 property within such district are not present at such meeting or the  
274 assessments of such holders of record constitute less than one-half of  
275 the total of assessments for all interests in real property within such  
276 district, the mayor may adjourn such meeting, from time to time, until  
277 at least fifteen voters or a majority of the holders of record of interests  
278 in real property within such district are present and the assessments of  
279 such holders of record constitute more than one-half of the total of  
280 assessments for all interests in real property within such district.

281 (B) For the transaction of business at any other meeting of the  
282 district, a quorum shall be either fifteen voters of the district or a  
283 majority of the holders of record of interests in real property within  
284 such district, as long as the assessments for such holders of record  
285 constitute more than one-half of the total of assessments for all  
286 interests in real property within such district. If fifteen voters or a  
287 majority of the holders of record of interests in real property within  
288 such district are not present at such meeting or the assessments of such  
289 holders of record constitute less than one-half of the total assessments

290 for all interests in real property within such district, the president of  
291 the district or, in such president's absence, the vice-president, may  
292 adjourn such meeting, from time to time, until at least fifteen voters or  
293 a majority of the holders of record of interests in real property within  
294 such district are present and the assessments of such holders of record  
295 constitute more than one-half of the total of assessments for all  
296 interests in real property within such district.

297 (5) In any case in which an action for a vote by the voters of the  
298 district is to be initiated by the petition of such voters, in addition to  
299 such other requirements as the general statutes or any special act may  
300 impose, such petition shall be on a form prescribed or approved by the  
301 clerk of such district, and each page of such petition shall contain a  
302 statement, signed under penalties of false statement, by the person  
303 who circulated the same, setting forth such circulator's name and  
304 address, and stating that each person whose name appears on said  
305 page signed the same in person in the presence of such circulator, that  
306 the circulator either knows each such signer or that the signer  
307 satisfactorily identified himself to the circulator and that all the  
308 signatures on said page were obtained not earlier than six months  
309 prior to the filing of said petition. Any page of a petition that does not  
310 contain such a statement by the circulator shall be invalid. Any  
311 circulator who makes a false statement in the statement hereinbefore  
312 provided shall be subject to the penalty provided for false statement.  
313 No petition shall be valid for any action for a vote by the voters at any  
314 regular or special district meeting unless such petition shall be  
315 circulated by a voter eligible to vote in such district.

316 (c) Whenever the officers of such district vote to terminate its  
317 corporate existence and whenever a petition signed by ten per cent of  
318 the total voters of such district or twenty of the voters of such district,  
319 whichever is less, applying for a special meeting to vote on the  
320 termination of the district is received by the clerk, the clerk shall call a  
321 special meeting of the voters of such district, the notice of which shall  
322 be signed by the officers thereof, by advertising the same in the same  
323 manner as provided in section 7-325 of the general statutes. Not later

324 than twenty-four hours before any such meeting, two hundred or more  
325 voters or ten per cent of the total number of voters, whichever is less,  
326 may petition the clerk of the district, in writing, that a referendum on  
327 the question of whether the district should be terminated be held in the  
328 manner provided in section 7-327 of the general statutes. If, at such  
329 meeting, a two-thirds majority of the voters present vote to terminate  
330 the corporate existence of the district, or, if a referendum is held, two-  
331 thirds of the voters casting votes in such referendum vote to terminate  
332 the corporate existence of the district, the officers shall proceed to  
333 terminate the affairs of such district. The district shall pay all  
334 outstanding indebtedness and turn over the balance of the assets of  
335 such district to the town of Stratford, if the legislative body of the town  
336 authorizes such action. No district shall be terminated under this  
337 subsection until all of its outstanding indebtedness is paid unless the  
338 legislative body of the town of Stratford agrees, in writing, to assume  
339 such indebtedness. On completion of the duties of the officers of such  
340 district, the clerk shall cause a certificate of the vote of such meeting to  
341 be recorded in the land records of the town of Stratford and the clerk  
342 shall notify the Secretary of the Office of Policy and Management.

343 (d) (1) For purposes of voting at meetings held by such district, any  
344 tenant in common of any interest in real property shall have a vote  
345 equal to the fraction of such tenant in common's ownership of such  
346 interest. Any joint tenant of any interest in real property shall vote as if  
347 each such tenant owned an equal fractional share of such real  
348 property. A corporation shall have its vote cast by the chief executive  
349 officer of such corporation, or such officer's designee. Any entity that is  
350 not a corporation shall have its vote cast by a person authorized by  
351 such entity to cast its vote. No owner shall have more than one vote.

352 (2) No holder of record of an interest in real property shall be  
353 precluded from participating in any district meeting or referendum  
354 because of the form of entity that holds such interest, whether such  
355 holder of record is (A) a corporation, partnership, unincorporated  
356 association, trustee, fiduciary, guardian, conservator or other form of  
357 entity, or any combination thereof, or (B) an individual who holds

358 interests jointly or in common with another individual or individuals,  
359 or with any one or more of the entities listed in subparagraph (A) of  
360 this subdivision.

361 (e) Notwithstanding any provision of the general statutes, including  
362 sections 7-324 to 7-329, inclusive, of the general statutes, the district  
363 shall have the power to assess, levy and collect benefit assessments  
364 upon the land and buildings in the district that, in its judgment, are  
365 benefited by the improvements.

366 (f) (1) Notwithstanding any provision of the general statutes,  
367 including sections 7-324 to 7-329, inclusive, of the general statutes, the  
368 district shall have the power to fix, revise, charge, collect, abate and  
369 forgive reasonable taxes, fees, rents and benefit assessments, and other  
370 charges for the cost of the improvements, financing costs, operating  
371 expenses and other services and commodities furnished or supplied to  
372 the real property in the district in accordance with the applicable  
373 provisions of the general statutes that apply to districts established  
374 under section 7-325 of the general statutes, and this section and in the  
375 manner prescribed by the district. Notwithstanding any provision of  
376 the general statutes, the district may make grants for, or pay the entire  
377 cost of any improvements, including the costs of financing such  
378 improvements, capitalized interest and the funding of any reserve  
379 funds necessary to secure such financing or the debt service of bonds  
380 or notes issued to finance such costs, from taxes, fees, rents, benefit  
381 assessments or other revenues and may assess, levy and collect said  
382 taxes, fees, rents or benefit assessments concurrently with the issuance  
383 of bonds, notes or other obligations to finance such improvements  
384 based on the estimated cost of the improvements prior to the  
385 acquisition or construction of the improvements or upon the  
386 completion or acquisition of the improvements. The district and the  
387 town of Stratford are authorized to enter into an agreement to share  
388 revenue in accordance with section 7-148bb of the general statutes.

389 (2) Notwithstanding any provision of the general statutes, whenever  
390 the district constructs, improves, extends, equips, rehabilitates, repairs,

391 acquires or provides a grant for any improvements or finances the cost  
392 of such improvements, such proportion of the cost or estimated cost of  
393 the improvements and financing thereof, as determined by the district,  
394 may be assessed by the district, herein referred to as "benefit  
395 assessments", in the manner prescribed by such district, upon the  
396 property benefited by such improvements and the balance of such  
397 costs shall be paid from the general funds of the district. The district  
398 may provide for the payment of such benefit assessments in annual  
399 installments, not exceeding thirty, and may forgive such benefit  
400 assessments in any single year without causing the remainder of  
401 installments of benefit assessments to be forgiven. Benefit assessments  
402 to buildings or structures constructed or expanded after the initial  
403 benefit assessment may be assessed as if the new or expanded  
404 buildings or structures had existed at the time of the original benefit  
405 assessment. It is hereby determined that the costs of the improvements  
406 benefiting the district whether located within the district or in the town  
407 of Stratford are a benefit to all the property within the district.

408 (3) In order to provide for the collection and enforcement of its  
409 taxes, fees, rents, benefit assessments and other charges, the district is  
410 hereby granted all the powers and privileges with respect thereto as  
411 districts organized pursuant to section 7-325 of the general statutes,  
412 and as held by the town of Stratford or as otherwise provided in this  
413 section. Such taxes, fees, rents, benefit assessments or other charges, if  
414 not paid when due, shall constitute a lien upon the premises served  
415 and a charge against the owners thereof, which lien and charge shall  
416 bear interest at the same rate as delinquent property taxes. Each such  
417 lien may be continued, recorded and released in the manner provided  
418 for property tax liens and shall take precedence over all other liens or  
419 encumbrances except a lien for taxes, benefit assessments, fees, fines,  
420 penalties or interest of the town of Stratford.

421 (4) The budget, taxes, fees, rents, benefit assessments and any other  
422 charges of the district of general application shall be adopted and  
423 revised by the board at least annually not more than thirty days before  
424 the beginning of the fiscal year, in accordance with the procedures to

425 be established by the board, at a meeting called by the board, ensuring  
426 that interested persons are afforded notice and an opportunity to be  
427 heard. The board shall hold at least two public hearings on its schedule  
428 of fees, rates, rents, benefit assessments and other charges or any  
429 revision thereof before adoption, notice of which shall be delivered to  
430 the mayor and the town council of the town of Stratford and be  
431 published in at least two newspapers of general circulation in the town  
432 of Stratford at least ten days in advance of the hearing. Not later than  
433 the date of the publication, the board shall make available to the public  
434 and deliver to the mayor and the town council of the town of Stratford  
435 the proposed schedule of fees, rates, rents, benefit assessments and  
436 other charges. The procedures regarding public hearing and appeal,  
437 provided by section 7-250 of the general statutes, shall apply for all  
438 benefit assessments made by the district, except that the board shall be  
439 substituted for the water pollution control authority. Should the  
440 benefit assessments be assessed and levied prior to the acquisition or  
441 construction of the improvements, then the amount of the benefit  
442 assessments shall be adjusted to reflect the actual cost of the  
443 improvements, including all financing costs, once the improvements  
444 have been completed, should the actual cost be greater than or less  
445 than the estimated costs. Benefit assessments shall be due and payable  
446 at such times as are fixed by the board, provided the district shall give  
447 notice of such due date not less than thirty days prior to such due date  
448 by publication in a newspaper of general circulation in the town of  
449 Stratford and by mailing such notice to the owners of the property  
450 assessed at their last-known address.

451 (g) (1) Notwithstanding any provision of the general statutes,  
452 including sections 7-324 to 7-329, inclusive, of the general statutes,  
453 whenever the district has authorized the acquisition or construction of  
454 the improvements or has made an appropriation therefor, the district  
455 may authorize the issuance of bonds, notes or other obligations to  
456 finance the cost of the improvements, the creation and maintenance of  
457 reserves required to sell the bonds and the cost of issuance of the  
458 bonds, provided no bonds shall be issued prior to the district entering

459 into an interlocal agreement with the town of Stratford, in accordance  
460 with the procedures provided by section 7-339c of the general statutes,  
461 including at least one public hearing on the proposed agreement and  
462 ratification by the town council. The bonds may be secured as to both  
463 principal and interest by (A) the full faith and credit of the district, (B)  
464 fees, revenues or benefit assessments, or (C) a combination of  
465 subparagraphs (A) and (B) of this subdivision. Such bonds shall be  
466 authorized by resolution of the board. The district is authorized to  
467 secure such bonds by the full faith and credit of the district or by a  
468 pledge of or lien on all or part of its revenues, fees or benefit  
469 assessments. The bonds of each issue shall be dated, shall bear interest  
470 at the rates and shall mature at the time or times not exceeding thirty  
471 years from their date or dates, as determined by the board, and may be  
472 redeemable before maturity, at the option of the board, at the price or  
473 prices and under the terms and conditions fixed by the board before  
474 the issuance of the bonds. The board shall determine the form of the  
475 bonds, and the manner of execution of the bonds, and shall fix the  
476 denomination of the bonds and the place or places of payment of  
477 principal and interest, which may be at any bank or trust company  
478 within the state of Connecticut and other locations as designated by  
479 the board. In case any officer whose signature or a facsimile of whose  
480 signature shall appear on any bonds or coupons shall cease to be an  
481 officer before the delivery of the bonds, the signature or facsimile shall  
482 nevertheless be valid and sufficient for all purposes the same as if the  
483 officer had remained in office until the delivery.

484 (2) While any bonds issued by the district remain outstanding, the  
485 powers, duties or existence of the district shall not be diminished or  
486 impaired in any way that will affect adversely the interests and rights  
487 of the holders of the bonds. Bonds issued under this section, unless  
488 otherwise authorized by law, shall not be considered to constitute a  
489 debt of the state of Connecticut or the town of Stratford, or a pledge of  
490 the full faith and credit of the state of Connecticut or the town of  
491 Stratford, but the bonds shall be payable solely by the district or as  
492 special obligations payable from particular district revenues. Any

493 bonds issued by the district shall contain on their face a statement to  
494 the effect that neither the state of Connecticut nor the town of Stratford  
495 shall be obliged to pay the principal of the bonds or the interest  
496 thereon, and that neither the full faith and credit or taxing power of the  
497 state of Connecticut or the town of Stratford is pledged to the payment  
498 of the bonds. All bonds issued under this section shall have and are  
499 hereby declared to have all the qualities and incidents of negotiable  
500 instruments, as provided in title 42a of the general statutes.

501 (h) (1) The board may authorize that the bonds be secured by a trust  
502 agreement by and between the district and a corporate trustee, which  
503 may be any trust company or bank having the powers of a trust  
504 company within the state of Connecticut. The trust agreement may  
505 pledge or assign the revenues. Either the resolution providing for the  
506 issuance of bonds or the trust agreement may contain covenants or  
507 provisions for protecting and enforcing the rights and remedies of the  
508 bondholders as may be necessary, reasonable or appropriate and not in  
509 violation of law.

510 (2) All expenses incurred in carrying out the trust agreement may be  
511 treated as a part of the cost of the operation of the district. (A) The  
512 pledge by any trust agreement or resolution shall be valid and binding  
513 from time to time when the pledge is made; (B) the revenues or other  
514 moneys so pledged and then held or thereafter received by the district  
515 shall immediately be subject to the lien of the pledge without any  
516 physical delivery thereof or further act; and (C) the lien of the pledge  
517 shall be valid and binding as against all parties having claims of any  
518 kind in tort, contract or otherwise against the district, irrespective of  
519 whether the parties have notice thereof. Notwithstanding any  
520 provision of the Uniform Commercial Code, neither this subsection,  
521 the resolution or any trust agreement by which a pledge is created  
522 need be filed or recorded except in the records of the district, and no  
523 filing need be made under title 42a of the general statutes.

524 (i) (A) Bonds issued under this section are hereby made securities in  
525 which all public officers and public bodies of the state of Connecticut



526 and its political subdivisions, all insurance companies, trust  
527 companies, banking associations, investment companies, executors,  
528 administrators, trustees and other fiduciaries may properly and legally  
529 invest funds, including capital in their control and belonging to them;  
530 and (B) such bonds shall be securities that may properly and legally be  
531 deposited with and received by any state or municipal officer or any  
532 agency or political subdivision of the state of Connecticut for any  
533 purpose for which the deposit of bonds of the state of Connecticut is  
534 now or may hereafter be authorized by law.

535 (j) Bonds may be issued under this section without obtaining the  
536 consent of the state of Connecticut or the town of Stratford, and  
537 without any proceedings or the happening of any other conditions or  
538 things other than those proceedings, conditions or things that are  
539 specifically required thereof by this section, and the validity of and  
540 security for any bonds issued by the district shall not be affected by the  
541 existence or nonexistence of the consent or other proceedings,  
542 conditions or things.

543 (k) The district and all its receipts, revenues, income and real and  
544 personal property shall be exempt from taxation and benefit  
545 assessments and the district shall not be required to pay any tax, excise  
546 or assessment to or from the state of Connecticut or any of its political  
547 subdivisions. The principal and interest on bonds or notes issued by  
548 the district shall be free from taxation at all times, except for estate and  
549 gift, franchise and excise taxes, imposed by the state of Connecticut or  
550 any political subdivision thereof, provided nothing in this section shall  
551 act to limit or restrict the ability of the state of Connecticut or the town  
552 of Stratford to tax the individuals and companies, or their real or  
553 personal property or any person living or business operating within  
554 the boundaries of the district.

555 (l) The district shall at all times keep accounts of its receipts,  
556 expenditures, disbursements, assets and liabilities, which shall be open  
557 to inspection by duly appointed officers or duly appointed agents of  
558 the state of Connecticut or the town of Stratford. The fiscal year of the

559 district shall begin on July first and end on the following June thirtieth  
560 or as otherwise established by section 7-327 of the general statutes. The  
561 district shall be subject to an audit of its accounts in the manner  
562 provided in the general statutes.

563 (m) (1) At such time as any construction or development activity  
564 financed by bonds issued by the district is taking place, the clerk of the  
565 district shall submit project activity reports quarterly to the mayor and  
566 the town council of the town of Stratford, the Secretary of the Office of  
567 Policy and Management and to the chairpersons of the joint standing  
568 committee of the General Assembly having cognizance of matters  
569 relating to finance, revenue and bonding.

570 (2) The district shall take affirmative steps to provide for the full  
571 disclosure of information relating to the public financing and  
572 maintenance of improvements to real property undertaken by the  
573 district. Such information shall be provided to any existing residents  
574 and to all prospective residents of the district. The district shall furnish  
575 each developer of a residential development within the district with  
576 sufficient copies of such information to provide each prospective initial  
577 purchaser of property in such district with a copy, and any developer  
578 of a residential development within the district, when required by law  
579 to provide a public offering statement, shall include a copy of such  
580 information relating to the public financing and maintenance of  
581 improvements in the public offering statement.

582 (n) (1) This section shall be deemed to provide an additional,  
583 alternative and complete method of accomplishing the purposes of this  
584 section and exercising the powers authorized hereby and shall be  
585 deemed and construed to be supplemental and additional to, and not  
586 in derogation of, powers conferred upon the district by law and  
587 particularly by sections 7-324 to 7-329, inclusive, of the general  
588 statutes, provided insofar as the proceedings of this section are  
589 inconsistent with any general statute or special act, or any resolution or  
590 ordinance of the town of Stratford, this section shall be controlling.

591 (2) Except as specifically provided in this section, all other statutes,  
 592 ordinances, resolutions, rules and regulations of the state of  
 593 Connecticut and the town of Stratford shall be applicable to the  
 594 property, residents and businesses located in the district. Nothing in  
 595 this section shall in any way obligate the town of Stratford to pay any  
 596 costs for the acquisition, construction, equipping or operation and  
 597 administration of the improvements located within the district or to  
 598 pledge any money or taxes to pay debt service on bonds issued by the  
 599 district except as may be agreed to in any interlocal agreements  
 600 executed by the town of Stratford and the district.

601 (o) At the option of the town of Stratford by vote of the town council  
 602 of the town of Stratford, the district shall be merged into the town of  
 603 Stratford if no bonds are issued by the district not later than four years  
 604 after the effective date of this section or after the bonds authorized by  
 605 this section are no longer outstanding and any property owned by the  
 606 district shall be distributed to the town of Stratford.

607 (p) This section, being necessary for the welfare of the town of  
 608 Stratford and its inhabitants, shall be liberally construed to effect the  
 609 purposes hereof.

610 (q) The provisions of subdivision (1) of subsection (b) of section 32-  
 611 462 of the general statutes shall not apply to any financial assistance  
 612 awarded to an applicant for a project located within, abutting or  
 613 necessary to the development of the district and related to the  
 614 assessment, surveying, remediation, permitting or cleanup of any  
 615 environmentally contaminated property or brownfield, as defined in  
 616 section 32-760 of the general statutes.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2014	New section

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

### ***OFA Fiscal Note***

#### ***State Impact:***

<b>Agency Affected</b>	<b>Fund-Effect</b>	<b>FY 15 \$</b>	<b>FY 16 \$</b>
Department of Energy and Environmental Protection	GOBonds - Uncertain	Potential Cost	Potential Cost
CT Innovations Inc. (quasi-public)	CII Funds - Uncertain	Potential Cost	Potential Cost

#### ***Municipal Impact:***

<b>Municipalities</b>	<b>Effect</b>	<b>FY 15 \$</b>	<b>FY 16 \$</b>
Stratford	Cost	Less than \$10,000	None

### ***Explanation***

The bill: 1) allows for the establishment of the Point Stratford Infrastructure Improvement District in Stratford; and 2) exempts certain projects from the statutory limit for the amount of economic development assistance that the Department of Economic and Community Development (DECD) and Connecticut Innovations, Inc. (CII) may provide without affirmative legislative approval.

There is a minimal, one-time cost to the Town of Stratford, estimated at less than \$10,000 in FY 15, associated with holding any public meetings or referenda, and with publishing associated public notices necessary to establish the district.

The bill allows the District to issue revenue bonds to support its duties. This has no impact to the town or the State, as the language specifies that such revenue bonds are not the responsibility of the Town of Stratford or the State of Connecticut.

Depending on the extent of services provided by the District, there could be a savings to the Town of Stratford as costs associated with the provision of public services shifts from the Town to the District.

There is no fiscal impact associated with exempting certain projects from the statutory limit for economic development assistance, assuming that any eligible projects would receive legislative approval without the proposed change in the bill. However, if DECD provides assistance to eligible projects that the legislature would otherwise disapprove, there would be a cost to the Manufacturing Assistance Act (MAA) program.<sup>1</sup>

If CII provides assistance to eligible projects that the legislature would otherwise disapprove, there would be a cost to CII. CII is a quasi-public state agency that is financed by loan repayments, investment returns, and fees. Therefore, any costs would not be realized by the state's funds.

House "A" exempts certain projects from the statutory limit for the amount of economic development assistance that DECD and CII may provide without affirmative legislative approval. This results in the above identified fiscal impact.

### ***The Out Years***

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

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<sup>1</sup> The MAA program, funded by General Obligation bonds, is DECD's primary source for providing loans and grants for economic development assistance.

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**OLR Bill Analysis**

**sHB 5368 (as amended by House "A")**

***AN ACT ESTABLISHING THE POINT STRATFORD  
INFRASTRUCTURE IMPROVEMENT DISTRICT WITHIN THE TOWN  
OF STRATFORD.***

**SUMMARY:**

The Office of Legislative Research does not analyze Special Acts.

**COMMITTEE ACTION**

Planning and Development Committee

Joint Favorable

Yea 14    Nay 1    (03/12/2014)